

#7

PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

2001P17847US

First named inventor: Dr. Walter Rosenbaum

Application No.: 09/974,776

Art Unit: to be assigned

Filed: 10/11/2001

Examiner: to be assigned

Title: Method for Providing Franking

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1300.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of Response to Notice to File Missing Parts (identify type of reply):☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$_____

☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

01/21/2003 SLUANG1 00000022 502464 09974776

01 FC:1453 1300.00 CH

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3. Terminal disclaimer with disclaimer fee

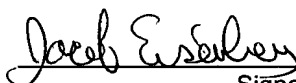
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

January 14, 2003

Date



Signature

Telephone

Number: (____) +41 585 583 295

Jacob Eisenberg

Typed or printed name

Siemens Schweiz, Albisriederstrasse 245

Address

CH-8047 Zürich, Switzerland

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Executed Declaration, Substitute Drawings

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

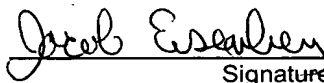
I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

January 14, 2003

Date



Signature

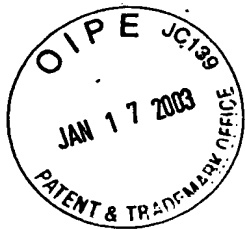
Jacob Eisenberg

Type or printed name of person signing certificate

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Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent and Trademark Office

on January 14, 2003

Date

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Jacob Eisenberg, Reg. No. 43,410

Typed or printed name of person signing Certificate

Customer Number 28204 - Serial Number: 09/974,776

Telephone: +41 585 583 295 - Atty Docket: 2001P17847US

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

The following documents are transmitted herewith by facsimile. Should there be any errors with this translation, the USPTO is invited to contact the above-signed at the number provided.

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) (form PTO/SB/64)
2. Certificate of Facsimile Transmission under 37 CFR 1.8
3. Transmittal Form;
4. Fee Transmittal Form (form PTO/SB17);
5. Copy of Notice to File Missing Parts;
6. Executed Declaration; and
7. Substitute Drawings.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/974,776	
	Filing Date	10/11/2001	
	First Named Inventor	Walter Rosenbaum	
	Group Art Unit	to be assigned	
	Examiner Name	to be assigned	
Total Number of Pages in This Submission	20	Attorney Docket Number	2001P17847US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
Executed Declaration Drawings are substitute drawings per PTO request Certificate of Facsimile Transmission under 37 CFR 1.8		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jacob Eisenberg c/o Siemens Schweiz, Customer Number 28204
Signature	
Date	01/14/2003

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office on this date: January 14, 2003			
Typed or printed name	Jacob Eisenberg, Registration Number 43,410		
Signature		Date	01/13/2003



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PTO/SB/17 (01-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 2462

Complete if Known

Application Number	09/974,776
Filing Date	10/11/2001
First Named Inventor	Dr. Walter Rosenbaum
Examiner Name	To be assigned
Art Unit	To be assigned
Attorney Docket No.	2001P17847US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
502464Deposit Account Name
Siemens Schweiz AG

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	1300
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Fees due per Missing Parts Notice			1032
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$) 2462

SUBMITTED BY

Name (Print/Type) Jacob Eisenberg

Registration No.
(Attorney/Agent)

43.410

(Complete if applicable)

Telephone +41585583295

Signature

Jacob Eisenberg

Date

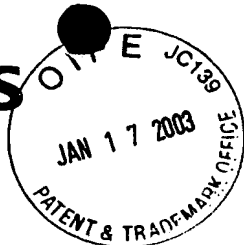
January 14, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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SIEMENS



DAC/MD
\$

VIA FACSIMILE
Assistant Commissioner for Patents
United States Patent & Trademark Office
Washington, DC 20231

Fax: 001-703-308-6916

Name	Jacobs Eisenberg
Division of activity	Intellectual Property
Department	IP
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Your reference	09/974,776
Our reference	2001P17847US
Date	January 14, 2003

Customer No.: 28204

Re: Utility Patent Application
Atty. Dock.: 2001P17847US; Serial No.: 09/974,776
Filed: 10/11/2001; Inventor(s): Dr. Walter Rosenbaum
For: Method for Providing Franking

Sir:

A NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION for the above application was mailed out by the US Patent Office on November 27, 2001. A response to the Notice was due January 27, 2002. Applicant unintentionally failed to respond to the outstanding Notice and this became known less than two months prior to this correspondence. A copy of the Notice is enclosed. Responsive to the outstanding Notice, the following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) (form PTO/SB/64)
2. Certificate of Facsimile Transmission under 37 CFR 1.8
3. Transmittal Form;
4. Fee Transmittal Form (form PTO/SB17);
5. Copy of Notice to File Missing Parts;
6. Executed Declaration; and
7. Substitute Drawings..

In the event that the transmittal form is separated from this document and the Patent Office determines that an extension of time and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees in connection with the filing of this document to **Deposit Account No.:**

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Siemens Switzerland Ltd

JAN 22 2003

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Albisriederstrasse 245
P.O.B
CH-8047 Zürich

Main telephone number
Siemens Switzerland SA
+41 585 585 585

502464 referencing attorney docket number 2001P17847US. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Date: Jan. 14, 2003

Respectfully Submitted,

Jacob Eisenberg
Jacob Eisenberg, Esq.
Attorney for Applicant
Registration No. 43,410
Customer No.: 28204

Enclosures

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UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/974,776	10/11/2001	Walter Rosenbaum	2001P17847US

28204
SIEMENS AG
P.O. BOX 221634
MUNICH, D-80339
GERMANY

CT IF 3 AM Mch P/Ri	
Eing.	27. Dez. 2001
GR Frist	2001P17847US

CONFIRMATION NO. 6886

FORMALITIES LETTER



OC000000007125005

Date Mailed: 11/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$162.
 ■ \$162 for 9 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1032.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

01/21/2003 SLUANG1 00000022 502464 09974776

02 FC:1001	750.00 CH
03 FC:1202	162.00 CH
04 FC:1051	130.00 CH

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*A copy of this notice **MUST** be returned with the reply.*

91

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE